

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|---------------------------|---|-------------------|
| UNITED STATES OF AMERICA, |) | 4:05CR3036 |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | MEMORANDUM |
| |) | AND ORDER |
| JORGE HERNANDEZ-REYES, |) | |
| |) | |
| Defendant. |) | |

The defendant has filed a motion to appoint new counsel. Because there is an appeal pending before the United States Court of Appeals,

IT IS ORDERED that the motion to appoint new counsel (filing 49) is referred to the United States Court of Appeals for the Eighth Circuit for ruling. The Clerk of Court shall provide the Clerk of the Court of Appeals with a copy of this order and a copy of the motion.

December 20, 2005.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge